

**TOWN OF KITTERY
PLANNING BOARD MEETING**

Thursday, June 9, 2005

APPROVED
Council Chambers

Meeting called to order at: 6:16 p.m.

Present: Ron Ledgett, Chairman Russell White, Doug Muir, Janet Gagner, Megan Kline, Scott Mangiafico

Also Present: Mark Eyerman, Earldean Wells, Planner Jim Noel, Town Manager, Jon Carter

1. ROLL CALL

Roll call noted.

2. DISCUSSION 6:15 - 8:30

See Action Items 6-9-05.

3. PUBLIC COMMENT ON NON-AGENDA MATTERS (20 MINUTES)

Alex Trent wants to ask about 373 Haley Road. He dropped off a couple copies of letters today. The Board does not have them. Does the Board know when it will start to discuss RR?

Chairman White says we are discussing LD's tonight. He thinks Mr. Trent's proposal goes through both LD and RC.

Mr. Trent had his site walk scheduled last August before the moratorium, but it did not take place and it was never rescheduled. He would like to know whether the moratorium stops site walks.

Chairman White says that is up to the Planner. Because we are in the middle of reworking the rules for the LD Zone, it may not profit us to do a site walk until we are a bit more certain about what is being proposed. The LD may look at different lot sizes and a variable lot size provision.

Mr. Trent wants to know about the public hearing for his project. He has included a series of letters in the packet. Planner Noel had verified his packet for completeness and indicated that there were two items missing in the packet, one of which was that department head letters were missing. Mr. Trent is curious as to why some of the department head letters were not returned to the Town or to the Planner. He has had some feedback. Dave O'Brien says he has responded to Planner Noel. The Water District and the Chief of Police responded favorably. He is not sure what the process is.

Chairman White says that those do not seem to be major missing pieces in the packet. If it came before us for a scheduling hearing tonight and those were missing, but we got a verbal assurance that they would be provided, we would ask the Planner for his thoughts and then we would decide.

Mr. Trent says the second piece he was told was missing was a waiver as to the length of the road. He did leave out the word "length". Ken Markley did send out a letter to amend that.

With all that said, he is asking whether his packet is complete now and assuming that it is. When the moratorium is lifted, how is scheduling handled for people like him who have been affected by the moratorium? There are many projects that have come in since.

Chairman White thinks that it is fair that those who were in line before would not lose their place in line, but he does not set the schedule. If the ordinance has substantially changed, he will need to come back for a new look under the new ordinance. We will either say it is complete or that it is now incomplete under the new ordinance. Chairman White feels Mr. Trent will need that information as soon as possible.

Mr. Trent asks with his packet as it is, why wasn't he scheduled for a hearing when there was a window between the moratoriums?

Chairman White does not know. He does not do the scheduling. If Mr. Trent has a question on that, he should take that up with the folks at Town Hall. Chairman White is not qualified to answer that.

4. SKETCH PLAN: MR. EL-BADRY, PRESIDENT, SPRUCE POINT HOMEOWNERS ASSOCIATION. APPLICANT PROPOSING TO ELIMINATE SECOND ROW FOR SPRUCE POINT SUBDIVISION. MAP 32 LOT 4, ZONED RURAL RESIDENCE.

Chairman White introduces the proposal.

Mr. El-Badry introduces himself. He is seeking the Planning Board's approval to eliminate the second ROW to a lot that is not currently in the subdivision, but that the developer initially planned on including in that subdivision. This issue was before the Planning Board in Summer 2002 and it was approved with some conditions - abutter approval, gate at entry, new map. They feel that they have met the conditions. The 8th lot is in the process of changing hands. The 8th lot is what the ROW goes to - Map 32, Lot 5. One thing in addition that they are requesting that was not agreed to by the Planning Board in September 2002 is to entirely eliminate the ROW, meaning that utilities would not go along it. They are proposing that utilities be under Spruce Point Road, which will be paved. The gate has been put up.

Chairman White asks about 32-3.

Mr. El-Badry says it is part of the subdivision.

Chairman White asks if there was a waiver for road length. What does the fire chief think about not having secondary emergency access? Was the waiver granted for that? Did we visit all of that back in 2002?

Mr. Mangiafico says that even under secondary collectors, they require secondary access at 1,500 feet. This is 1,700 feet. We need to look at traffic and the length issue.

Ed Sabatini, of 3 Spruce Point Road, says they have 2 dirt roads running parallel. Spruce Point Road has seven lots coming off of it. The second road only accesses the 8th lot. It would not be a secondary access for the other lots. The Spruce Point Road has two fire hydrants. If they pave the first road and have the two hydrants, it seems to make a lot more sense than the fire trucks trying to get down a 10' wide road/driveway.

Chairman White asks what the fire chief thinks about it. Usually, you think of secondary access for when there is an event that blocks the main road. They don't want to bring it down the

secondary road.

Mr. Sabatini says that the trade off was going to be to widen Spruce Point Road to his specifications. In 2002, he was happy if they went to a 16' road paved with shoulders.

Mr. El-Badry thought he accepted one foot shoulders.

Chairman White thinks that may be right.

Chairman White says the change here is there is no emergency secondary access. Has the fire chief's opinion been obtained? As of the minutes of 2002, they were obtaining the secondary access and they are now proposing to eliminate it.

Mr. El-Badry says they do not have that.

Chairman White thinks it might be good for the Board to know that. He asks if Planner Noel considers this a minor modification.

Mr. Ledgett does not think it is minor.

Chairman White says that as a public safety issue, we must carefully review it.

Mr. Ledgett says that we will need to decide the matter based on tables 16.32.1180 figure 1, which gives all the different criteria for road size on 3 pages.

Mr. El-Badry asks how big the road has to be.

Ms. Kline says the big thing is because of the length. That's what changes you from where you were when it was approved. The fire chief is the big issue. The argument you made tonight is the one he may want to review.

Mr. Ledgett says that Spruce Point Road gets turned into a minor street that is in excess of 1,200 feet long, which drives the applicant up into requiring a secondary access, which can be an emergency access. The dilemma here is the length of the road.

Mr. El-Badry asks for any other issues.

Mr. Ledgett says that as to the extinguishing of the ROW, he assumes that the reference to it is in all of the deeds.

Mr. El-Badry says yes.

Mr. Ledgett asks if we are going to be extinguishing it first and then the deeds are being changed.

Mr. El-Badry indicates that is correct.

Mr. El-Badry says that the ROW goes right through the yard of four of the lots and is an encumbrance.

Chairman White says to take a look at the chart and start with the chief and use the ordinance to argue for what you want.

Mr. El-Badry and Mr. Sabatini thank the Board.

The Plan is returned to Mr. Sabatini.

Mr. Muir says it might be good for them to know the conversion element - 10 trip ends per dwelling unit for residential. That helps them to know where to enter the table. He explains to the applicant that this is a method of estimating how much traffic will be on the road. Engineers estimate the amount of trips per day generated per house.

Mr. Ledgett refers the applicant to section 16.32.1180, pages 359-361.

Chairman White thanks the applicants.

5. PRELIMINARY PLAN: CIVIL CONSULTANTS FOR JAMES AUSTIN, 6 LAWRENCE LANE. APPLICANT REQUESTING REVIEW/APPROVAL TO

SEPARATE CONJOINED LOTS MAP 18 LOT 35, ZONED SUBURBAN RESIDENCE.

Chairman White introduces the application.

Tom Harmon, with Civil Consultants, thinks this is the third time they have been back with this. They have provided a plan with slight modifications to it. They have modified it because their elevations were different than what they were on the original plan. They provided a revised plan. It shows a small portion of property that was owned by the Austins and transferred. They also provide a copy of a boundary survey to show that there was area available from those lots to be added to this. That is included in the packet. He shows a large scale plan of it. In total, there is excess land that can be used there.

Mr. Ledgett asks if the elevation 6 is the high tide line.

Mr. Harmon says it is what is used in the ordinance.

Chairman White does not know the issue we had before except for an adjustment of the acreage.

Mr. Ledgett says the issues were whether there was enough area when properly measured and then getting the area split properly. Are we creating any nonconforming conditions?

Planner Noel says that Mr. Ledgett may be looking at the existing building. Planner Noel checked with Attorney McEachern and it should not be a concern or a consideration. He has a nonconforming building.

Mr. Ledgett asks if this is because it is preexisting that we are not creating a nonconforming condition.

Planner Noel says exactly.

Mr. Ledgett says there's a new dock on one of these pieces of property. Is this dock on the plan the existing one or the new one? There's a new one that got approved that is not on this plan.

Mr. Harmon explains this property is not being considered for subdivision.

Mr. Ledgett shows this is the barn. Isn't there a dock that went on that property?

Mr. Mangiafico says it is on 35B if you are looking at the amended subdivision plan.

Mr. Harmon asks if there is one on here that he does not show.

Mr. Mangiafico says that is not new, either. They already had to get a waiver from the state. We're not changing that line anyway.

Chairman White says that procedurally, he sees no issues with this.

Mr. Ledgett does not either.

Chairman White says that he does not think we need a public hearing on this. To the extent it affects the abutters, we would need one. At one point, there were some issues with abutters and neighbors. If there were once issues, it is better to post the notice and have it as an agenda item.

Mr. Harmon is sure the Austins will want to move it as soon as possible.

Chairman White says this is not a moratorium issue.

Mr. Ledgett says they are both conforming.

Mr. Mangiafico asks if want to move to find the application complete and schedule it for hearing.

Planner Noel says the agenda is full into September. He would suggest to the Board that we could probably pull things together to have a public hearing on June 23.

Mr. Ledgett says that is the night we are doing Kittery Foreside.

Chairman White says that is a workshop.

Planner Noel says it is up to the Board. The next meeting is scheduled as workshop. This would be the only agenda item. He would suggest to the Board that the package is substantially complete.

Mr. Mangiafico moves, Planner Noel having found that the application is substantially complete, that the Board find that the Plan drawn by Civil Consultants for James Austin, dated 4/20/05, with no revisions, and the boundary plan of the same date are substantially complete and schedule the matter for public hearing on June 23, 2005.

Mr. Ledgett does not think the specific date should put in the motion.

Ms. Gagner seconds the motion.

Mr. Mangiafico amends his motion to replace the reference of a specific date and say instead to schedule it for the earliest possible date.

Ms. Gagner seconds the amended motion.

All in favor.

Mr. Harmon thanks the Board.

6. PRELIMINARY PLAN/SCHEDULING HEARING FOR WEATHERVANE SEAFOODS, 31 BADGERS ISLAND WEST. AMEND AN APPROVED PLAN TO EXPAND EXISTING DECK AREA DINING INTO EXISTING BUILDING. MAP 1, LOT 31, ZONED BADGERS ISLAND.

Ms. Gagner steps down for this.

Chairman White introduces the application.

Jeremy Gagner of Kittery is here representing Weathervane Seafoods. They are looking to change their classification from drive-in restaurant to restaurant and change to provide seasonal dining. They are in the process of receiving the necessary letters. He has letters from the water district and from the police. He is waiting on the letters from public works and the fire department. The fire department is mainly concerned with making sure there are sprinklers throughout the building and space. That is fully done. The other issue was a question on the machinery. One walk-in cooler compressor needs to be relocated to the second story, on the flat roof, surrounded by a 3' parapet wall. He could not get the exact specs, but it will run at 55 decibels within 25', which seems to meet the standards. He asks whether there is a 50 decibel limit at the property line. It will be well within that range. He does not know if there are any other issues the Board has.

Mr. Ledgett says there was one other issue - whether this property is a water-dependent marine use and whether it is going to something other than a water-dependent marine use.

Mr. Gagner thought that was for the awning.

Mr. Ledgett says no. We are supposed to preserve water dependent uses and maintain them as commercial.

Mr. Gagner says it is commercial on the waterfront.

Mr. Mangiafico says it is public access.

Chairman White says the restaurant serves lobsters that come from the water.

Mr. Ledgett does not think this would meet the requirements of the Comprehensive Plan. We need to make sure it complies with it. The Land Use and Development Code requires that we

verify that the Comprehensive Plan is met.

Chairman White suggests Mr. Ledgett give a page reference to the applicant for the Code and the Comprehensive Plan.

Mr. Ledgett says that in the Comprehensive Plan, it is pages 95 and 96. For the Code, it's in site plan review, which is on page 372, 16.36.070.C.1.i., conformity with local ordinances and plans.

Chairman White suggests that the applicant use the page references take look at what they say and as part of the presentation, put together a little narrative about why the applicant thinks it's justified and why the applicant thinks it fits. That's not an issue that we are going to resolve tonight, but it is an issue on which the Board will deliberate at the public hearing, so the applicant should be prepared to make his case.

Mr. Gagner asks if it is possible for him to say it now so that the Board will know where he is headed.

Chairman White says that the purpose of tonight is to assess the application for completeness and point up any issues that we see at this stage of the game.

Mr. Gagner asks again for the Comprehensive Plan pages.

Mr. Ledgett provides them and says there may be others.

Ms. Kline asks what the current function of that part of the building is.

Mr. Gagner says maintenance. It has been like that for years.

Ms. Kline asks if it has a lot of members of the public visiting. One thing she would say, not deliberative, is that this building historically was Crawford Lobster Company and they ran their business there for a long time. She thinks that it has been quite a while since there has been any public use of the building. Even then, it was limited to business only and customers to get fishing supplies. You could buy gear there and that's been it. It has been a preexisting structure. She thinks with respect to it going to a public use like this, she does not see how we can require it not to stay that way – either as a fishing facility, which it has been for years, or the functioning part, the docking facility, the ability to maintain some level of water dependent use is still there should they want to. Moving it to a more public use, she would say moves toward moving it back toward public use in a shoreland zone.

Chairman White says that it creates public access to the waterfront. It allows folks down on the water. It is not a public park or a walkway. One presumably is buying a meal.

Mr. Mangiafico says that you can charge for public access. Look at Fort Foster.

Chairman White says that tonight we are just pointing out the issues.

Mr. Ledgett says the key words are water dependent use. That's what needs to be addressed.

Planner Noel has reviewed the application for completeness and, at the previous meeting, he went down the check list. The only thing that is perhaps missing is a letter from Mr. Rossiter and one from Chief O'Brien. Previously, when he was before the Board, Planner Noel visited the site with Mr. Rossiter and examined the possibilities or probabilities. There did not seem to be issues that were not able to be fixed. Chief O'Brien indicated previously that, as long as the building was sprinkled, he did not have a problem with a business such as this.

Chairman White would suggest to the Board that Mr. Gagner and Planner Noel need to track down a letter from each to complete the application. Chairman White would suggest that the application is substantially complete. Chairman White would entertain a motion with respect to the same.

Mr. Mangiafico says that since Planner Noel finds the application substantially complete, and after the Planning Board having reviewed the application, he moves that the Planning Board find the application substantially complete for a modification to an approved plan for Weathervane Seafoods and that the matter be scheduled for public hearing at the purview of the Planner.

Mr. Ledgett seconds.

No discussion

All in favor.

Mr. Mangiafico says that with respect to the fence that was installed there, he thought that we did not want it any more than a certain height and it was in minutes that we wanted it at that height or higher. He thinks we were saying 40". Of course, we approved those minutes. We wanted it high enough to protect the abutters, but not so high that it blocked the views. Mr. Mangiafico will look at it to see if we can lower that height and still protect the abutters from head lights.

Mr. Gagner built it the way he was told to build it.

Chairman White asks if the sign issue was resolved.

Joan Jones, of 27 Badgers Island, says that we're about to approve this when there are violations now and they are existing. They extend down the pier when they were only supposed to be on the deck. There are three banner signs and three free-standing signs. One sign is completely inappropriate - it is rusted, inappropriate and bent. Some of these issues have to be addressed. The awning is up and she does not know that it was approved. She asks if the Board has any comment.

Chairman White says he was waiting for her to finish.

Mrs. Jones is finished.

Chairman White explains the process she should follow to complain about issues such as this.

Mrs. Jones sent a copy registered to the CEO and sent copies to Planner Noel a month ago.

Chairman White says that we deal with information brought into this room unless we do a site walk. We would not do a site walk to determine violations. We are authorized to refer the information provided to the Planning Department and ask them to make a determination and indicate that to us their position on it. It's on the record.

Mrs. Jones asks if she will be hearing something because she thinks a month is a reasonably long time to wait.

Mr. Ledgett suggests that she talk to the Town Manager.

Peter Carolinkas, of 27 Badger Island West, says that we were here about a year ago discussing the Weathervane Deck. He asked then if it was the end of the expansion and they said they had no intentions of expanding. Now he asks what's next. He is afraid they will be back here next year for a full expansion.

Mr. Ledgett asks if the Board approved the awning.

Planner Noel says that is on the agenda for July 14.

Mr. Ledgett was in Portsmouth and he saw the awning and assumed it was approved.

Planner Noel will get letter from the CEO as to whether or not there are violations on the property.

Mr. Carolinkas wants to know the difference between a drive-in restaurant and a regular restaurant definition.

Chairman White says there is no definition for a drive-in restaurant. They had a take out window. That affects parking.

Mr. Carolinka asks if we have determined there is enough parking.

Chairman White says we have not determined it tonight. He believes that in the proposal, there are parking numbers put forward.

7. DISCUSSION: TECHNICAL REVIEWS FOR APPLICATIONS TO THE PLANNING BOARD, CEO, HIGHWAY DEPARTMENT, MR. JON CARTER, TOWN MANAGER.

Ms. Gagner returns.

Town Manager Carter hands out document. Hopefully, he has incorporated everything. He borrowed Mr. Ledgett's copy. This is a proposed change to 16.36.030.

Mr. Mangiafico asks whether we should repeat that the applicant is required to pay the cost, where the beginning states that the applicant is required to pay for the cost.

Town Manager Carter does not think we have to.

Mr. Mangiafico says that it says it is a required payment when it is required by Planner Noel.

Chairman White thinks that it is sufficient as is.

Mr. Muir thinks that is the meaning of the first sentence.

Mr. Mangiafico says that he does not think that we need to duplicate it.

Planner Noel provides a hand out.

Ms. Gagner asks as far as compliance inspections are concerned, since the CEO still has that as part of her duties, how will this work? Would we do it in place of or in addition to her inspection?

Town Manager Carter envisions that if we hired someone to do a technical review, the applicant would be told that the person will continue to do the work, especially if there is a performance guarantee in place, and for that guarantee to be released, the technician would authorize the CEO to do the report to say that everything is done properly.

Ms. Gagner asks if we need that written anywhere.

Town Manager Carter says the inspector is the agent of the CEO at that time.

Ms. Gagner asks if the applicant will receive something from the person saying that the applicant is in compliance.

Town Manager Carter says the Town will receive it. The inspector will go out and see the base of the road being put down, for example, or the shoulder.

Chairman White says that we have never had that. We don't know if they are using the right base materials. It is all covered up by the time the CEO sees it.

Town Manager Carter says that there is a game plan and that is part of the scope of work.

Chairman White says that with the way it is done now, who knows if they are built as they are drawn?

Town Manager Carter says that if the report comes in and says the applicant has not done it properly, then the applicant will have to redo it. The CEO cannot issue a building permit until everything is properly done. There will be no building permit for a subdivision until the roads are done for drainage.

Ms. Wells asks about the wetlands.

Town Manager Carter says yes, they will also be reviewed.

Mr. Mangiafico moves to extend the meeting to 10:30 pm.

Mr. Ledgett seconds.

All in favor except Mr. Muir.

Mr. Mangiafico is concerned that it does not have the detail about the escrow account. It just says the applicant will pay. It's a language issue. He thinks we need to add language to make it clear that we can set up the escrow account.

Chairman White says that, in other words, when we refer something out right now, we do not use an escrow account procedure and we don't worry about the money.

Mr. Mangiafico asks if that will work for the CEO.

Chairman White says not to fix what is not broken.

Mr. Mangiafico agrees.

Town Manager Carter is looking to proceed on to Council and a joint public hearing with this.

Mr. Ledgett asks about requesting that Council schedule it for public hearing.

Town Manager Carter confirms that the only changes have to do with the language change from projects to developments.

Ms. Kline clarifies that these are the only changes tonight.

Mr. Ledgett says we have a separate issue and that, if Town Council is to hold another public hearing, we should take up the conflict issue as well.

Chairman White says it is the membership issue. The Charter says the Board is to have 7 members and the code says it is to have 5.

Mr. Ledgett says it is a simple item, but it is hanging out there. It will be a problem some day. The Charter is correct.

Chairman White says the Charter changed other items as well. He guesses we are ready to go with that.

Mr. Muir asks if someone will draft the ordinance language for that.

Chairman White thinks Attorney McEachern will.

Planner Noel says we usually do it.

Town Manager Carter asks if it is just a cross out.

Ms. Kline says we have to do it such that Council says it is OK

Town Manager Carter says the agenda item does not reflect the number change.

Planner Noel says that these are important issues to be dealt with by the Town Council as soon as possible.

Mr. Ledgett says that we should have an agenda item to discuss this. He thinks that they might be able to add these items. The ZBA is wrong, too. Dennett is interested. He might help that along.

Town Manager Carter asks if Planner Noel will do the underlying work.

Ms. Gagner says that it's important, but won't take a long time.

Planner Noel asks if Town Manager Carter wants a motion.

Mr. Mangiafico moves that we accept the 16.36.030 amendments as made tonight and forward them to Town Council to schedule the matter for public hearing.

Mr. Ledgett seconds.

All in favor except Ms. Gagner.

Chairman White says that it went well on Monday. The discussion about Kittery Foreside was good. People had issues that did not get dredged up by the Board.

Mr. Muir was pleased the others went through so smoothly.

8. OLD BUSINESS. MEETING MINUTES 3/10/05

The Board begins reviewing and editing the minutes of 3/10/05.

9. PLANNER'S TIME

Planner Noel hands out a letter from Chief O'Brien re: Meeting House Village, with the proviso that the ZBA approves their request.

Planner Noel says Ray Gagner's ROW was approved off of Remick's Lane. He was instructed to get Chief O'Brien out there to see if an emergency turn around was necessary. Chief O'Brien does not see the need at this point to construct a hammerhead.

Ms. Gagner is not deliberating on this issue.

Given that, Planner Noel would like to know whether the plan can now be approved.

Chairman White will sign the plan, given the fire chief's input, if it is OK with the Board.

Mr. Ledgett asks if we are signing a plan that is consistent with the minutes.

Planner Noel has the minutes.

Ms. Kline thinks we did not require it.

Mr. Mangiafico could move to approve a modification to an approved plan.

Mr. Ledgett just wants to make sure the plan is consistent with the minutes.

Ms. Kline knows we discussed it at the site walk.

Planner Noel says it is not clear here. He reads from the minutes. Chairman White asks for conditions. Mr. Ledgett asks where we are going to put the turn around. Mr. Solich was going to put it on the plan.

Ms. Kline says we did not require that he clear it. The turn around is on there. The fire chief is not requiring that he clear the land for it.

Chairman White signs the plan.

Planner Noel says it is dated March 10.

Ms. Kline says we have not approved those minutes yet.

Mr. Mangiafico says that he will have to build it if it is on there.

Chairman White and Mr. Ledgett say that he will not have to because it is a ROW.

Planner Noel has one more item. He introduces Mr. Michael Livingston.

Mr. Livingston says the Hill Creek Subdivision was approved several months ago. He went and staked things out for Walter Woods. One of the buildings got built a little too close to one of the lot lines. One of the corners of the building was too close because a 40' setback is needed from the road. He prepared a revised plan to address the issue. Unit 3 was the problem. It was just built. Hill Creek Drive was the first built in the 1980's. He put a little 3' jog in the ROW to accommodate the building. He brought Mr. Rossiter out to look at it.

Planner Noel has not spoken to Mr. Rossiter about it, but he has his letter on the matter.

Mr. Livingston says Mr. Rossiter was OK with reducing the ROW by 3' because it was bigger than necessary anyway. Mr. Livingston also changed it so that the well is within the boundary. He would like the Board to know that he will have them go out and verify his concrete this time. He did some grading work and he knows that some of the stakes were moved.

Walter Woods arrives. Mr. Woods says it's four-wheelers that are the issue. They have been driving all over and knocking over his stakes. He has tried to keep them off the property. Four-wheeler tracks are all over lot 3. When they knock them over, they put them back in place, but not in the right place. Mr. Woods will need to have a professional check the stakes from now on. They are driving all over the area and rutting that up. They knocked over the stakes there.

Mr. Mangiafico moves to approve a minor modification for Hill Creek Wood, tax map 61, lot 8, plan dated 5/05 with a boundary line adjustment between lots 2 and 3 and the ROW and note 14 added 5/27/05 and further moves that the Chair sign the revised Mylar for the Board.

Mr. Ledgett seconds. He asks whether it is limited to Lots 2 and 3 or whether Lot 1 is also involved.

Mr. Muir asks about the well.

Mr. Woods says he has had Anderson lay out the setbacks.

Mr. Mangiafico amends the motion to reflect the ROW reduction from 60' to 57' for a portion in front of lots 1, 2 and 3.

Ms. Gagner seconds.

All in favor.

10. ADJOURNMENT

Mr. Mangiafico moves to adjourn at 10:25.

Mr. Muir seconds.

All in favor.